

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

U.S.A. vs. Tyrone Earlston Seymour, Jr.

Docket No. 4:06-CR-73-1BO

Petition for Action on Supervised Release

COMES NOW Tuell Waters, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Tyrone Earlston Seymour, Jr., who, upon an earlier plea of guilty to Distribution of More Than 5 Grams of Cocaine Base (Crack) in violation of 21 U.S.C. § 841(a)(1), was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on July 12, 2007, to the custody of the Bureau of Prisons for a term of 96 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 5 years under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

Tyrone Earlston Seymour, Jr. was released from custody on July 20, 2012, at which time the term of supervised release commenced.

On September 8, 2012, the defendant was charged by the Greenville Police Department, Greenville, North Carolina, for the misdemeanor offense of Second Degree Trespass. On January 12, 2013, the defendant was again charged by the Greenville Police Department with Second Degree Trespass. Violation Reports were submitted to the court in both instances, recommending no action pending disposition by the state court. On April 11, 2013, both cases were dismissed in Pitt County District Court.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On March 17, 2013, the defendant was charged by the North Carolina State Highway Patrol with Speeding 70 miles per hour in a 45 mile per hour zone and Reckless Driving to Endanger. According to Trooper A.B. Smith, the defendant was engaged in impromptu racing with another vehicle on Memorial Drive in Greenville, North Carolina. Seymour registered a blood alcohol content of .05 on the hand held breath alcohol testing device, but was not charged with an alcohol related offense.

It is, therefore, respectfully recommended that the conditions of supervision be modified to impose two days of intermittent confinement. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

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PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be intermittently confined in the custody of the Bureau of Prisons for a period not to exceed 2 days, as arranged by the U.S. Probation Office, and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Tuell Waters
Tuell Waters
U.S. Probation Officer
201 South Evans Street, Room 214
Greenville, NC 27858-1137
Phone: 252-758-7200
Executed On: April 24, 2013

ORDER OF COURT

Considered and ordered this 25 day of April, 2013, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge